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BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
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FEDERAL COMMUNICATIONS COMMISSION  
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In re Matter of:

Amendment to Parts 73 and 90 of the  
Commission's Rules to Authorize the  
Transmission of Emergency Signals on  
Channel 200

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RM-9719

To: The Commission

Opposition to Petition For Rulemaking

Arkansas Educational Telecommunications Commission, Board of Regents for Benefit of the University of Arizona, Central Michigan University, Prairie Public Broadcasting, Inc., Rocky Mountain Public Broadcasting Network, Inc. and KVIE, Inc. (collectively, "PTV Ch 6 Licensees"), by their counsel, oppose the Petition for Rulemaking in RM-9719 filed by Federal Signal Corporation. that seeks to allot FM Channel 200 for use by an Emergency Radio Data Service (ERDS). While the service objective and policy goals of ERDS are commendable, the PTV Ch 6 Licensees believe that the interference impact on the integrity of reception of TV Channel 6, both in the analog and digital TV world, weigh heavily against use of FM Channel 200 for this service. The PTV Ch 6 Licensees believe that further studies will demonstrate that use of Channel 200 for ERDS is unworkable because of TV Channel 6 interference concerns. For that reason, the PTV Ch 6 Licensees, regretfully, oppose the Petition.

The PTV Ch 6 Licensees are broadcast licensees of public television stations that operate on TV Channel 6 in the following markets: Mountain View, Arkansas; Tuscon, Arizona; Alpena, Michigan; Minot, North Dakota; Denver, Colorado; and Sacramento, California. The

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PTV Ch 6 Licensees are a diverse group of licensees with varying service mandates: some serve major markets, while others serve largely rural areas. Some are nonprofit community licensees, some are university licensees and some are governmental entities that provide statewide public television service.

The PTV Ch 6 Licensees remind the Commission that FM Channel 200 is part of the band 82-88 MHz, which is assigned to TV Channel 6. While the Commission has permitted some very modest use of FM Channel 200 only for Class D noncommercial educational FM stations displaced by full-service noncommercial educational stations, the Commission did so stating that “no use other than a noncommercial one was contemplated” and “except for this special dispensation, this is not intended to be an FM frequency at all.” *Second Report and Order in Docket 20735, Changes in the Rules Relating to Noncommercial Educational Broadcast Stations*, 69 FCC 2d 240, 257, 260 (Emphasis added). In the *Second Report and Order*, the Commission also acknowledged that the “interference potential [associated with use of FM Channel 200] is great because the center frequency for the TV Channel 6’s FM sound carrier is 87.75, which is quite close to the proposed FM frequency of 87.9 MHz.” *Id.* at 257. We urge the Commission to review with care its past history of protecting TV Channel 6 from interference from FM Channel 200 and the lower portion of the FM band as it considers this Rulemaking.

Unfortunately, the Petition for Rulemaking does little to address the TV Channel 6 interference potential in the analog environment and it misses the mark completely with respect to the future digital environment. For example, the Petition does not include any data on field

studies involving TV Channel 6.<sup>1</sup> At a very minimum, the proponents of ERDS should be required to conduct comprehensive field tests on the impact of ERDS on TV Channel 6 before the spectrum is set aside for ERDS use. Moreover, the lab tests conducted by the proponents of ERDS need to be field tested in “actual use” conditions.

More importantly, however, the Petition for Rulemaking filed by Federal Signal Corp. suggests that issues with TV Channel 6 interference will disappear once the analog TV Channel 6 stations are “returned.” This is simply wrong. All broadcast stations using TV Channel 6, including the PTV Ch 6 Licensees commenting here, will have the option of returning to TV Channel 6, albeit with digital operations, at the end of DTV conversion. *See Advanced Television Systems and Their Impact Upon Existing Television Broadcast Service*, 11 CR 634 at ¶¶ 42-46; *see also Advanced Television Systems and Their Impact Upon Existing Television Broadcast Service*, 14 CR 422 at ¶¶ 16-17. Thus, the proposal to use FM Channel 200 for ERDS could have serious repercussions for future digital use of TV Channel 6 and could preclude TV station’s operating on Channel 6 from reaping some of the exciting benefits that digitization of the TV spectrum offers for broadcasters. The Petition for Rulemaking did not address the issue of impact of ERDS on digital TV Channel 6. Again, at a minimum, further laboratory tests and field studies on digital Channel 6 TV reception should be conducted before the Commission moves forward on this Petition.

For all these reasons, the PTV Ch 6 Licensees oppose the allotment of FM Channel 200 for ERDS use. The PTV Ch 6 Licensees believe that this proposal is premature in that the full

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<sup>1</sup> Instead, the Petition states that field testing of the impact of Channel 6 on ERPS was conducted in Sacramento, California. Please note that Sacramento TV Channel 6 Station KVIE(TV) is a party to these Comments in Opposition to the Rulemaking.

extent of interference to TV Channel 6 has not been addressed. The PTV Ch 6 Licensees believe that further testing, including comprehensive field testing and laboratory tests, will demonstrate that ERDS is not workable in the current reception environment for Channel 6 television stations and that it poses serious concerns for the future digital reception environment for Channel 6 television stations.

Respectfully Submitted,

ARKANSAS EDUCATIONAL  
TELECOMMUNICATIONS COMMISSION

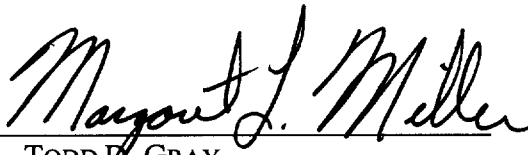
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CENTRAL MICHIGAN UNIVERSITY

KVIE, INC.

PRAIRIE PUBLIC BROADCASTING, INC.

ROCKY MOUNTAIN PUBLIC BROADCASTING  
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